

MINUTES



**REGULAR MEETING OF THE PLANNING
COMMISSION, CITY OF HAYWARD, Council
Chambers, March 08, 2001, 7:30 P.M.
777 "B" Street, Hayward, CA 94541**

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Vice-Chairperson Halliday, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Bogue, Halliday, Sacks, Thnay, Williams, Zermeño

Absent: COMMISSIONER
CHAIRPERSON Caveglia

Staff Members Present: Anderly, Bartlett, Conneely, Garcia, Looney, Patenaude,

General Public Present: Approximately 7

PUBLIC COMMENT - None made.

AGENDA

1. **Use Permit 00-160-25 - Enterprise Rent-A-Car (Applicant) / Ron Deiniger (Owner)** - Request to Operate a Car Rental Agency and to Remodel the Existing Building and Construct a 627-Square-Foot Addition (Total 1,421 Square Feet) at the Front. The Property is Located at 25900 Mission Boulevard Easterly Side Approximately 430 Feet North of Harder Road in a CG-SD2 (General Commercial - Mission Corridor Special Design Overlay District No. 2)
2. **Draft Environmental Impact Report (EIR)** and Amendment to the Preliminary Plan for the Proposed Downtown Hayward Redevelopment Plan Amendment - Mission-Foothill Boulevard Corridor

PUBLIC HEARINGS

1. **Use Permit 00-160-25 - Enterprise Rent-A-Car (Applicant) / Ron Deiniger (Owner)** - Request to Operate a Car Rental Agency and to Remodel the Existing Building and Construct a 627-Square-Foot Addition (Total 1,421 Square Feet) at the Front. The Property is Located at 25900 Mission Boulevard Easterly Side Approximately 430 Feet North of Harder Road in a CG-SD2 (General Commercial - Mission Corridor Special Design Overlay District No. 2)

Acting Principal Planner Patenaude made the staff presentation. He described the application and the environs of the locale. The application is to reopen a rental car office, and to combine it with an existing operation north of this location. The property backs onto single-family residential property. The conditions call for an 8-foot masonry wall to the rear, adjacent to the residences. The property will be upgraded with this application. Staff recommends approval

and that it is exempt from CEQA.

Commissioner Sacks commented on the mis-numbering of the conditions. She asked about the 8' high masonry wall rather than the wood fence promoted by the applicant.

Acting Principal Planner Patenaude responded that this is a policy normally followed with commercial abutting residential. The height will help with noise and buffer the commercial use from the residential.

Planning Manager Anderly noted that a masonry wall is called for in the ordinance unless it is deemed unnecessary by staff.

Commissioner Halliday asked about the reference to a hiking/transportation network as well as whether the hours of operation were to include car washing activities.

Commissioner Zermeño said he liked the 8' masonry wall and asked whether there would be a recycling plan. He was told there would be.

Commissioner Thnay asked about the types of trees that would be required. Acting Principal Planner Patenaude said they would be sycamores, the same trees planted along Mission Boulevard.

The Public Hearing was Opened at 7:53 p.m.

Steven Nicholson – Enterprise management, discussed the corporate philosophy that each subsidiary operates as a hometown business and must depend on the profits from each individual store. He commented that this is a substantial investment in Hayward and expressed concern about the financial well being of this store. The staff required masonry wall would add another ten percent to the cost of this project, originally planned for \$200,000. He asked for consideration of a compromise to enclose the garage on the property and construct a 6' masonry wall instead of 8 feet. He explained that the latest technology in vacuums have significantly reduced the noise level. He then noted that graffiti on masonry is difficult to maintain. In response to Commissioner Halliday's earlier inquiry regarding the hiking/transportation, he explained that this included the staff who moved vehicles from store location to location within the Bay Area. He added also that they would only be leasing the property.

Commissioner Thnay commented that this is a high quality proposal for the City. He wondered whether the neighbors might not prefer a 6' rather than 8' masonry wall fence. He noted that this project would be a positive thing for the neighbors.

The applicant then expressed concern about the landscaping required at the Mission side of the lot. He suggested this much space might impede the flow of the lot and could create a parking issue on the site.

Planning Manager Anderly explained that the landscaping acts as curbstop for the cars. The 12' landscape strip would allow the cars to hang over a bit. She then explained that the



alternative would be bumper blocks which would need as much space toward the front of the lot as well.

Harvey Cocher, architect for the project also expressed concern about the backing out and maneuverability space on the lot. He then suggested thinking about the fence in the rear. Since the Code requires a 6-foot high masonry fence, offered a compromise. With more visual separation, might the City consider a 6-foot masonry with 2-foot wood top. The fence would reflect the architecture of the building. This would be a saving to the applicant. Maybe not as dramatic a total savings as a completely wooden fence. However, with the extra 2 feet of masonry, the fence would have to have additional reinforcing.

Commissioner Williams responded that the applicant was looking at guidelines and regulations, which are merely the minimum. He noted that they try to exceed that. They are looking to enhance the City. Applicant should go a little extra to enhance the neighborhood.

Commissioner Zermefio said he liked the wood on top. Wood looks nice, and it reflects the building itself.

Planning Manager Anderly explained that this would be workable, since it would mitigate the noise and still technically meet the requirement of a 6' masonry wall.

The Public Hearing was Closed at 8:21 p.m.

Commissioner Williams **moved**, seconded by Commissioner Zermefio, the item as recommended by Staff.

Commissioner Williams then spoke to the motion. He said the City is happy to have Enterprise. It is a good company. They provide excellent service. However, the Commission has to be concerned with the land shortage. This is not a terrible expense for a national company. He said the proposed masonry fence would be the best solution for the neighbors.

Commissioner Bogue asked about the parking along Mission Boulevard.

Commissioner Sacks said she liked the project and expressed delight that they were bringing it to this part of Hayward. She did not like the 8-foot fence but would not vote "no" on the project.

Acting Chairperson Halliday said an 8-foot fence is the way to go. The slope up the hill needs the higher level of fencing. She had a difficult time with the conception of how the wood on top would look. She said she was more sympathetic on parking and landscape issue. However, staff indicates there is room to work with the applicant on this and adjust it more. She noted that the Redevelopment proposal is an effort to improve Mission Boulevard. This is a good project.

The motion passed unanimously 6:0:1, with Chairperson Caveglia absent.

2. Draft Environmental Impact Report (EIR) and Amendment to the Preliminary Plan for the Proposed Downtown Hayward Redevelopment Plan Amendment – Mission-Foothill Boulevard Corridor

Redevelopment Director Bartlett described the proposed Redevelopment Plan Amendment to add 700 acres along Mission-Foothill Boulevard. She noted that the EIR is a program EIR and discusses foreseeable impacts of the program. An environmental analysis would still have to be done for specific projects. She noted the goals of the Redevelopment Area, which includes full implementation of the General Plan which would result in 700 + new housing units by 2020; 2,650 new residents in the area; and 1,000 new jobs. She noted the plan alternatives: No project, maintain the status quo; reduce the area- remove the unincorporated Foothill area of the proposal; expand the area, include La Vista Quarry. She commented on the significant unavoidable impacts as well. With respect to seismic impacts, she said there are ways to mitigate being on a fault. In fact, Redevelopment can aid in that. There will remain some intersections that will be severely impacted. Cultural and Historic resources were discussed. She discussed the fact that all demolition requires a permit, and buildings proposed for demolition can then be assessed for historic and cultural value, once the permit has been granted. She commented on the possibility of including the County areas into the City. The La Vista Quarry was granted a use permit with the condition of applying for inclusion into the City. Staff would like to wait until a conversion of the property is closer. Based on the community meeting recently held, Council directed staff to cease the annexation process for the north Foothill area. The Redevelopment plan will be revised to eliminate unincorporated areas, the north Foothill area, and the La Vista Quarry area. She then mapped out these areas for non-inclusion of the Redevelopment Area.

Commissioner Zermeño asked for more information on what is included in the area of cultural and historical impact.

Redevelopment Director Bartlett noted that these are other issues, including Native American burial grounds, etc.

Commissioner Zermeño asked about Mattox Road area and was told that the folks in this area said "No" to annexation.

Redevelopment Director Bartlett added that staff was told by Council to pause and reassess the annexation.

Commissioner Williams expressed concerns with eliminating the unincorporated area. That area would be significant for the Gateway to Hayward. Is this temporary move or when might it change.

Redevelopment Director Bartlett said staff is interested in pursuing annexation, possibly in a few years. It does have an impact on the gateway coming into downtown. However, they cannot pursue redevelopment of the area without annexation. The boundaries were adopted with some communication with the County. She noted that at the initial community meeting in September, no one was there to voice concern. In January, concern was noted.



Commissioner Williams asked further about the Amendment and was told that the County must agree to the annexation. La Vista Quarry is contracted for another 8 years. Within 2 years after the 8 years they will be annexed to the City.

Commissioner Williams commented that not pursuing annexation ties Hayward up. Coming into the area and downtown.

Redevelopment Director Bartlett noted that the County has a redevelopment plan that includes this area.

Commissioner Sacks asked whether these two areas could be added at a future date, if the Commission approves the amended district.

Redevelopment Director Bartlett explained they would have to be brought back.

Commissioner Sacks commented on the January community meeting. Some of the people were nasty. They did not believe the reasons put forth by the City, they expressed a belief that the City only wants the money that can be sucked out of the area. She agreed that the gateway should be bigger and better down the road.

Commissioner Zermeno said he was interested in the Council making every effort to annex the Mattox Road area. Perhaps staff should meet the neighbors to make them feel better about annexation. This is an excellent entry into Hayward.

Commissioner Thnay wondered whether City staff and County staff could get together to discuss the landscaping in the area. He then commented on the traffic as well given what the present situation is already. He noted that with the projection for more jobs and more development in the area, impact on Traffic would be tremendous. Is it possible to pursue a local transit circulation program? Where would the jobs and traffic be going relative to the BART stations? He added that he really liked the idea of design themes for major arterial, landscaping, etc. He would like more clarification on these themes, i.e., what kind of the trees and canopies. With the undergrounding this is the time to do it.

Redevelopment Director Bartlett responded that these are very good landscaping points. She noted that they have goals of developing design themes in various areas of the City. They are looking to unify various areas. She pointed out that the traffic analysis utilized information developed for the Circulation Element of the General Plan.

Commissioner Zermeno commented that going north on Mission about Moreau the area looks barren. He then commented on the transit. Perhaps an extension might be to have a circulator bus route to tour the City. He suggested the City might provide this service if the Transit Company does not.

Commissioner Halliday commented that recent developments within the City might make this all change, what with the proposed undergrounding of the Route 238 parallel to Foothill Boulevard may have a dramatic impact on this area.

Redevelopment Director Bartlett responded that the transportation section mentions this. The EIR is based on the assumption that the Route 238 extension has been proposed. The downtown alternate would have a major impact on the downtown area. Route 238 has its own environmental review process.

The Public Hearing was Opened and Closed 9:07 p.m. with no comments from the public.

Commissioner SACKS **moved**, seconded by Commissioner Bogue to approve the resolution.

Commissioner Sacks said it was delightful to see any improvement along this corridor.

Commissioner Bogue added that should the residents in the unincorporated area be interested in redevelopment area, that could unify the area. If they were willing to be included, he would be open to taking in the area.

Commissioner Williams commended staff for the report and noted that to eliminate the unincorporated area is frustrating. However, if the residents are not interested, there really is no alternative. The City should expend their energy to present to the residents in the area what benefits they might receive if they joined in.

Commissioner Bogue added that the City would have to continue to show the residents what the City of Hayward can do on this side. That should convince them to be part of the plan.

Commissioner Halliday said she hoped there would be no hindrance to including the La Vista Quarry when they apply for annexation.

Redevelopment Director Bartlett commented that there would be challenges as well as opportunities with this annexation since the area needs to be improved with infrastructure and reclaimed from existing use.

The motion passed unanimously 6:0:1, with Chairperson Caveglia absent.

ADDITIONAL MATTERS

3. Oral Report on Planning and Zoning Matters

Planning Manager Anderly announced that Staples has backed out of the Hesperian/Winton Avenue project. However Office Depot is taking the spot. The Walgreens will continue at this location, and with the change another store can be allotted space as well.

Since there is only one item on the agenda for the upcoming meeting on March 22, a work session will be held as well.

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4. Commissioners' Announcements, Referrals

Acting Chairperson Halliday asked about the annual tour. She was told it would be sometime in May, possibly the 12. Commissioner Halliday then noted that FESCO was holding its annual Shelter Shuffle on that day and hoped this would not create a conflict.

Commissioner Sacks asked whether a tour of one of the CalPine plants was possible. She was told that the closest one is in Pittsburg. If not a tour, possibly a field trip.

Acting Chairperson Halliday also discussed the Chamber of Commerce Leadership Hayward Program of which she is a member. She noted that they visited a local Hayward Middle School, Martin Luther King, and was impressed by the students. She commented that they really need a gymnasium at this location.

MINUTES

- February 22, 2001 - APPROVED

ADJOURNMENT

The meeting was adjourned by Acting Chairperson Halliday at 9:24 p.m.

APPROVED:

Ed Bogue, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary